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February 21, 2020

**Via ECF**

The Honorable Kimba M. Wood  
United States District Court for the Southern District of New York  
500 Pearl Street  
New York, New York 10007  
[WoodNYSDChambers@nysd.uscourts.gov](mailto:WoodNYSDChambers@nysd.uscourts.gov)

Re: *Anne de Lacour et al. v. Colgate-Palmolive Co., et al.*, Case No. 16-cv-08364 (KW)

**Request to File Under Seal**

Dear Judge Wood:

I write on behalf of Plaintiffs Anne de Lacour, Andrea Wright and Loree Moran (“Plaintiffs”) in the above action. Pursuant to Rule 5-B of Your Honor’s Individual Practices, Plaintiffs respectfully request to file under seal portions of Exhibit 2 to the Declaration of Sarah N. Westcot in Support of Plaintiffs’ Renewed Motion for Class Certification, Exhibits 3-10 to the Westcot Declaration in their entirety, as well as portions of the Memorandum of Law in Support of Plaintiffs’ Motion and portions of the Declarations of Colin B. Weir and Dr. J. Michael Dennis that quote or reference documents previously designated by Defendants as confidential.

These redactions are justified, as they contain proprietary business information, such as confidential sales and financial data, competitively-sensitive market and consumer research and product formulations. Courts within the Second Circuit routinely allow for the sealing of such information. *See, e.g., Grayson v. Gen. Elec. Co.*, No. 3:13CV1799 (WWE), 2017 WL 923907, at \*1 (D. Conn. Mar. 7, 2017) (noting that “[d]ocuments falling into categories commonly sealed are those containing trade secrets, confidential research and development information, marketing plans, revenue information, pricing information, and the like[]” and sealing documents relating to internal design, investigations, sales and pricing); *Bayer Schera Pharma AG v. Sandoz, Inc.*, No. 08 CIV. 03710 (PGG), 2009 WL 10699031, at \*1 (S.D.N.Y. Nov. 13, 2009) (grating motion to seal of documents containing “confidential financial and sales data”).

All of the confidential materials submitted in support of Plaintiffs’ current motion overlap with those submitted in support of their initial motion for class certification on September 10, 2018. Dkt. No. 63. Prior to the filing of Plaintiff’s initial class certification motion, the parties met and conferred to narrow the scope of the redaction requests. The Hon. Ronnie Abrams significantly narrowed the scope of the parties’ initial request on two occasions before ultimately granting the parties’ request for sealing. *See*, Dkt. Nos. 55, 61, 76. Plaintiffs now make the same

sealing requests that were previously approved by Judge Abrams. *See*, Dkt. No. 84 (order granting Plaintiffs' request to file under seal).

Pursuant to Rule 5-B of Your Honor's Individual Practices, Plaintiffs will file and relate to this letter motion (1) a publicly filed copy of all documents with proposed redactions, and (2) a sealed copy of the unredacted documents with proposed redactions highlighted.

Respectfully submitted,

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